

SENATE BILL 1048

C6

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By: **Senator Muse**

Introduced and read first time: February 26, 2010

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **State Racing Commission – Expansion of Membership**

3 FOR the purpose of expanding the membership of the State Racing Commission;
4 altering the minimum number of members needed to meet certain
5 qualifications; altering the maximum number of members allowed to exercise
6 certain privileges; imposing a residency requirement on certain members;
7 providing for the termination of the terms of members; and generally relating to
8 the State Racing Commission.

9 BY repealing and reenacting, without amendments,
10 Article – Business Regulation
11 Section 11–201
12 Annotated Code of Maryland
13 (2004 Replacement Volume and 2009 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Business Regulation
16 Section 11–202
17 Annotated Code of Maryland
18 (2004 Replacement Volume and 2009 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Business Regulation**

22 11–201.

23 There is a State Racing Commission in the Department.

24 11–202.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) The Commission consists of [9] 13 members, appointed by the Governor
2 with the advice and consent of the Senate.

3 (b) At the time of appointment and qualification:

4 (1) each member shall be:

5 (i) at least 25 years old;

6 (ii) a resident of the State who has resided in the State for at
7 least the last 5 years;

8 (iii) a qualified voter of the State; and

9 (iv) an individual who has not been convicted of a crime that
10 involves moral turpitude;

11 (2) at least 3 members of the Commission shall be knowledgeable or
12 experienced in an aspect of thoroughbred racing; and

13 (3) at least [3] 6 other members shall be knowledgeable or
14 experienced in an aspect of harness racing.

15 (c) (1) A member of the Commission may not hold an official relation to a
16 licensee or hold any stocks, bonds, or other financial interest in a licensee.

17 (2) Not more than [4] 5 members who are appointed after July 1,
18 1989, may have a financial interest in racing in the State.

19 (3) Not more than [6] 8 members may be of the same political party.

20 (4) **AT LEAST 3 MEMBERS SHALL BE RESIDENTS OF PRINCE**
21 **GEORGE'S COUNTY.**

22 (d) Before taking office, each appointee to the Commission shall take the
23 oath required by Article I, § 9 of the Maryland Constitution.

24 (e) (1) The term of a member of the Commission is 4 years and begins on
25 July 1.

26 (2) The terms of members are staggered as required by the terms
27 provided for members of the Commission on October 1, 1992.

28 (3) At the end of a term, a member continues to serve until a successor
29 is appointed and qualifies.

1 (4) A member who is appointed after a term has begun serves only for
2 the rest of the term and until a successor is appointed and qualifies.

3 (f) (1) Subject to the hearing requirements of this subsection, the
4 Governor, with the advice of the Secretary, may remove a member of the Commission
5 for inefficiency, misconduct in office, or neglect of duty.

6 (2) Before the Governor removes a member, the Governor shall give
7 the member an opportunity for a public hearing.

8 (3) At least 10 days before the hearing, the Governor shall give the
9 member:

10 (i) a copy of the charges; and

11 (ii) notice of the time and place of the hearing.

12 (4) The member may be represented at the hearing by counsel.

13 (5) If the Governor removes a member, the Governor shall submit to
14 the Secretary of State:

15 (i) a statement of all charges made against the member;

16 (ii) the findings of the Governor; and

17 (iii) a record of the proceedings.

18 (g) The Governor shall appoint one member of the Commission to serve as a
19 liaison to the State Lottery Commission established under Title 9 of the State
20 Government Article.

21 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the
22 members of the State Racing Commission serving on July 1, 2010, end as follows:

23 (1) three on June 30, 2011;

24 (2) four on June 30, 2012;

25 (3) three on June 30, 2013; and

26 (4) three on June 30, 2014.

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 June 1, 2010.